

AMENDED IN ASSEMBLY MARCH 31, 2016

AMENDED IN ASSEMBLY MARCH 28, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2099

Introduced by Assembly Member Mark Stone

February 17, 2016

An act to add *and repeal* Chapter 16 (commencing with Section 18997) ~~to~~ of Part 6 of Division 9 of the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

AB 2099, as amended, Mark Stone. Safe drinking water ~~assistance~~. *benefit*.

Existing law provides for financial and food assistance benefits to needy Californians, including, among other programs, the California Work Opportunity and Responsibility to Kids (CalWORKs) program and CalFresh, under which each county provides for financial and food assistance benefits to qualified individuals who meet specified eligibility criteria. Existing law, administered by the State Department of Social Services, provides for the establishment of a statewide electronic benefits transfer (EBT) system for the purpose of providing those financial and food assistance benefits. Existing law authorizes a county to deliver CalFresh benefits and, upon election by the county, CalWORKs benefits through the use of an EBT system.

This bill would require the State Department of Social Services ~~to establish and administer a process to deliver interim drinking water assistance benefits to low-income households, as defined, with inadequate access to safe drinking water. The bill would specify that~~

~~eligible low-income households include, but are not limited to, households in disadvantaged communities, served by noncompliant small water systems, households located in communities deemed eligible for interim emergency drinking water benefits from the State Water Resources Control Board, and households whose private wells have active outages or water supply problems, as specified. The bill would require that the process be funded with existing emergency drought response resources allocated for interim water assistance and would require the department, in consultation with other specified state agencies, to identify existing resources. The bill would require the department to deliver the benefits through the EBT system. to, on or before February 1, 2017, convene a workgroup to develop recommendations for delivering a water benefit to supplement the purchase of drinking water for low-income households with inadequate access to safe drinking water, as specified. The bill would require the workgroup to consist of representatives from specified entities, including the Department of Water Resources, the Office of Emergency Services, and applicable community advocates, and would require the workgroup to develop recommendations that include, among other things, an implementation plan for identification of eligible households and delivery of the benefit to those households. The bill would require the State Department of Social Services to, on or before July 1, 2017, submit a report with the recommendations to the Legislature and the California Health and Human Services Agency. The bill would also make relating findings and declarations.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) The electronic benefits transfer (EBT) system has operated
- 4 statewide in California since 2004 as an effective and efficient
- 5 method to issue government benefits to recipients.
- 6 (b) Research has shown that the use of EBT has many
- 7 advantages for delivering public benefits. For recipients, EBT
- 8 offers greater convenience, improved security, and reduced
- 9 stigmatization. For state governments, EBT provides cost and time

1 savings, improves operational efficiencies, and promotes
2 accountability while stimulating local economies.

3 (c) EBT has been deemed an effective and responsive
4 mechanism for quickly delivering assistance to people recovering
5 from natural disasters.

6 (d) The Legislature and the Governor established The Human
7 Right to Water policy in 2013, which established the policy of the
8 state that every human being has the right to safe, clean, affordable,
9 and accessible water adequate for human consumption, cooking,
10 and sanitary purposes.

11 (e) Despite a history of proactive water policies, California
12 residents still face formidable challenges as the drought continues
13 to exacerbate water quality issues for disadvantaged communities
14 who disproportionately bear the health and financial impacts of
15 inadequate access to safe water.

16 (f) Significant barriers to water access exist for marginalized
17 Californians who are forced to choose between drinking water and
18 expending scarce resources to pay for clean water.

19 (g) In 2014, more than 1 million Californians faced water safety
20 violations that made water unsafe to drink.

21 (h) As the drought enters its fifth year, more than 2,000 domestic
22 wells have gone dry in the Central Valley, affecting tens of
23 thousands of people. Many small communities face chronic water
24 quality problems. Almost 400 small rural water systems and
25 schools are unable to provide safe drinking water.

26 (i) In response to these challenges, the Governor and the
27 Legislature have established or proposed new emergency drinking
28 water supports to assist these households.

29 (j) Recognizing this, it is the intent of the Legislature to utilize
30 the existing EBT system to deliver appropriate emergency water
31 benefits to disadvantaged households in an efficient and effective
32 manner.

33 ~~SEC. 2. Chapter 16 (commencing with Section 18997) is added~~
34 ~~to Part 6 of Division 9 of the Welfare and Institutions Code, to~~
35 ~~read:~~

36
37 ~~CHAPTER 16. SAFE DRINKING WATER ASSISTANCE~~

38
39 ~~18997. (a) The State Department of Social Services shall~~
40 ~~establish and administer a process to deliver interim emergency~~

1 drinking water assistance benefits to low-income households with
2 inadequate access to safe drinking water. Low-income households
3 eligible to receive these benefits include, but are not limited to, all
4 of the following:

5 (1) Households served by noncompliant small water systems
6 in disadvantaged communities, as defined in Section 79505.5 of
7 the Water Code, as determined by residence ZIP Code.

8 (2) Households located in communities deemed eligible for
9 interim emergency drinking water benefits under the State Water
10 Resources Control Board, as determined by residence ZIP Code.

11 (3) Households whose private wells have active outages or water
12 supply problems, as determined by the Department of Water
13 Resources.

14 (b) A household shall become ineligible to receive these benefits
15 once its water system is deemed compliant by the State Water
16 Resources Control Board or its well supply problem is deemed
17 resolved by the Department of Water Resources.

18 18997.5. (a) The State Department of Social Services shall
19 utilize a computerized data-matching system using existing
20 databases from the department, the State Water Resources Control
21 Board, and the Department of Water Resources.

22 (b) To the extent allowable under federal law, the department
23 shall deliver the benefits provided pursuant to this chapter through
24 the electronic benefit transfer (EBT) system created under Section
25 10072. The distribution of the benefits shall comply with any
26 federal and state laws and regulations governing electronic benefits.

27 (c) The process shall comply with privacy and confidentiality
28 procedures consistent with all applicable state and federal law.

29 18998. The process shall be funded from existing emergency
30 drought response resources allocated for interim water assistance.
31 The State Department of Social Services shall, in consultation with
32 the Office of Emergency Services, the Department of Water
33 Resources, the State Water Resources Control Board, and other
34 relevant agencies, identify existing resources.

35 18998.5. For the purpose of this chapter, “low-income
36 household” means a household determined to be low-income
37 through participation in any of the following means-tested public
38 assistance programs:

39 (a) A public assistance program for which the Office of Systems
40 Integration implements a statewide automated welfare system, as

1 ~~specified in Section 10823, including CalWORKs, CalFresh,~~
2 ~~Medi-Cal, and the refugee program.~~

3 ~~(b) Any other public assistance program, including the California~~
4 ~~Food Assistance Program, Cash Assistance for Immigrants,~~
5 ~~Supplemental Security Income/State Supplementary Payment~~
6 ~~(SSI/SSP), and General Relief or General Assistance.~~

7 ~~18998.6. Benefits provided under this chapter shall be in~~
8 ~~addition to benefits provided under Chapter 2 (commencing with~~
9 ~~Section 11200) of Part 3, and shall not be considered as income~~
10 ~~or resources for any program established under this code.~~

11 *SEC. 2. Chapter 16 (commencing with Section 18997) is added*
12 *to Part 6 of Division 9 of the Welfare and Institutions Code, to*
13 *read:*

14
15 *CHAPTER 16. SAFE DRINKING WATER BENEFIT*
16

17 *18997. (a) On or before February 1, 2017, the State*
18 *Department of Social Services shall convene a workgroup to*
19 *develop recommendations for delivering a water benefit to*
20 *supplement the purchase of drinking water for low-income*
21 *households with inadequate access to safe drinking water.*

22 *(b) The water benefit to be developed shall do all of the*
23 *following:*

24 *(1) Be made available to low-income households with*
25 *inadequate access to safe drinking water, including, but not limited*
26 *to all of the following:*

27 *(A) Households served by noncompliant small water systems*
28 *in disadvantaged communities, as defined in Section 79505.5 of*
29 *the Water Code.*

30 *(B) Households located in communities deemed eligible for*
31 *interim emergency drinking water benefits by the State Water*
32 *Resources Control Board.*

33 *(C) Households whose private wells have active outages or*
34 *water supply problems, as determined by the Department of Water*
35 *Resources.*

36 *(2) To the extent possible, be provided through the electronic*
37 *benefits transfer system.*

38 *(3) To the extent possible, be funded from existing emergency*
39 *drought response resources allocated for interim water assistance.*

1 (c) *The workgroup shall consist of representatives from all of*
2 *the following entities:*

- 3 (1) *The State Department of Social Services.*
4 (2) *The State Water Resources Control Board.*
5 (3) *The Department of Water Resources.*
6 (4) *The Office of Emergency Services.*
7 (5) *The County Welfare Directors Association of California.*
8 (6) *Food policy advocates.*
9 (7) *Other applicable community advocates.*

10 (d) *The workgroup shall develop recommendations that include*
11 *all of the following:*

- 12 (1) *The design of the benefit.*
13 (2) *An implementation plan for identification of eligible*
14 *households and delivery of the benefit to those households.*
15 (3) *Possibilities for interim or permanent adoption and*
16 *implementation of the benefit through regulations, all-county*
17 *letters, or similar instruction.*

18 (e) (1) *The State Department of Social Services shall submit a*
19 *report with the recommendations to the Legislature and the*
20 *California Health and Human Services Agency by July 1, 2017.*

21 (2) *A report to be submitted to the Legislature pursuant to*
22 *paragraph (1) shall be submitted in compliance with Section 9795*
23 *of the Government Code.*

24 18998. *This chapter shall become inoperative on July 1, 2021,*
25 *and, as of January 1, 2022, is repealed, unless a later enacted*
26 *statute, that becomes operative on or before January 1, 2022,*
27 *deletes or extends the dates on which it becomes inoperative and*
28 *is repealed.*